

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**TERMINAL DISCLAIMER**

ATTORNEY DOCKET NO.

**70043.0001US01**

U.S. APPLICATION SERIAL NO.

**10/046,730**

CONFIRMATION NO.

**2580**

FILING DATE

**January 17, 2002**

INVENTOR(S)

**Brooks EDWARDS et al.**

EXAMINER (If known)

**Mary Ceperley**

ART UNIT (If known)

**1641**

TITLE OF APPLICATION

**SOLID PHASES OPTIMIZED FOR CHEMILUMINESCENT DETECTION**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Now comes the undersigned, Attorney of Record in the present application, who avers as follows:

Applera Corporation is the owner of the entire right, title and interest in and to the invention claimed and disclosed in the above-captioned patent application by virtue of assignment.

Applera Corporation hereby disclaims the terminal part of any patent granted on the above-captioned application, which would extend beyond the expiration date of the full statutory term, as presently shortened by any terminal disclaimer, of:

any patent issuing from U.S. Patent Application No. 10/462,742  
and hereby agrees that any patent so granted on said above-captioned application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to:

any patent issuing from U.S. Patent Application No. 10/462,742,  
this agreement to run with any patent granted on the above-captioned application and to be binding upon the grantee, its successors or assigns.

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Applera Corporation does not disclaim any terminal part of any patent granted on the above-captioned application that would extend to the full statutory term, as presently shortened by any terminal disclaimer, of:

any patent issuing from U.S. Patent Application No. 10/462,742 in the event that any said issued patent later: expires for failure to pay a maintenance fee; is held unenforceable; is found invalid; is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. 1.321(a); has all claims canceled by a reexamination certificate; or is otherwise terminated prior to the expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

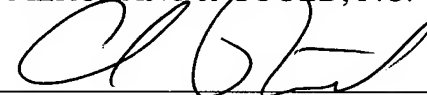
March 19, 2007

Date

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Respectfully submitted,

MERCHANT & GOULD, P.C.



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**23552**

Patent & Trademark Office